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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,637	09/28/2001	Tsuneyuki Tsuji	1506.1011	1976

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EXAMINER
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WINDER, PATRICE L

ART UNIT	PAPER NUMBER
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2145

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/15/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 09/964,637	<b>Applicant(s)</b> TSUJI ET AL.	
	<b>Examiner</b> Patrice Winder	<b>Art Unit</b> 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2006.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-14 and 16-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-6, 8-14, 16-20 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 5-6, 8-10, 12-14, 16-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis et al., USPN 6,898,762 B2 (hereafter referred to as Ellis) in view of Cooper et al., USPN 6,754,904 B1 (hereafter referred to as Cooper).

3. Regarding claims 1, 6 and 8 Ellis taught an information browse method (abstract) comprising:

a first search condition information setting step of setting a condition, inputted by any one user among a plurality of users, for searching for information suited to a first user, as first search condition information on this first user (column 22, lines 35-49);

a second search condition information setting step of setting a condition for searching information suited to this second user, as second search condition information on this second user (column 18, lines 32-39);

an information searching step of searching, from within browsing target information containing a plurality of information elements, for an information element with respect to a certain user in accordance with information derived from the first search condition information set in the first search condition information setting step and information derived from the second search condition information set in the second

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search condition information setting step (column 22, lines 62-67; column 23, lines 15-21); and

an information presenting step of presenting to the certain user a piece of information corresponding to a searched result with respect to the certain user in the information searching step (column 22, lines 62-67; column 23, lines 15-21). Ellis does not specifically teach second search condition information inputted by any one among the plurality of users in a way that specifies a second user. However, Cooper taught second search condition information inputted by any one among the plurality of users in a way that specifies a second user (column 5, line 63-column 6, line 5). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Cooper's second search condition information specifying a second user in Ellis's electronic program guide system would have improved system flexibility. The motivation would have been to better enforce parental controls.

4. Regarding claims 2 and 9, Cooper further discloses the second search condition information setting step involves setting the information inputted in such a form that any one of the plurality of users specifies the second user to establish a mapping to setting user information indicating the user who inputted the information as the second search condition information on the other user (column 5, line 63-column 6, line 5).

Ellis further taught the information presenting step involves presenting to a user pieces of information on the respective information elements searched with respect to this user, and presenting a piece of information indicating a setting user set as one element of mapping by way of the second search condition information with respect to

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the respective information elements searched based on the second search condition information (column 18, lines 58-66).

5. Regarding dependent claims 3 and 10, Ellis further taught a second information searching step of searching, based on the second search condition information set by a certain user with respect to second user in the second search condition information setting step, for an information element suited to this second user from the browsing target information, and checking whether or not the thus searched information element is searched by the first search condition information set in the first search condition information setting step with respect to the second user (column 18, lines 57-66); and

a second information presenting step of presenting to the certain user a piece of information corresponding to a searched result and a checked result with respect to the certain user in the second information searching step (column 18, lines 57-66).

6. Regarding dependent claims 5 and 12, Ellis further taught generating the second search condition information by analyzing natural language information inputted in such a way that any one of the plurality of users specifies other user (column 18, lines 32-39).

7. Regarding dependent claims 13-14, Ellis further taught the first and second search conditions are inputted through a web page interface through the Internet, wherein the web pages are provided for a mobile telephone and/or a typical personal computer (column 7, lines 23-30).

8. Regarding claim 16, Ellis further taught a control unit determines a recommendation degree corresponding to a hit keyword count with respect to each of

the searched information elements searched using the first search condition and the second search condition (column 13, lines 3-16).

9. Regarding claims 17-19, Ellis further taught a recommendation degree is derived using data from a care-for-others information table and/or a favorite information table, wherein a program having a larger hit keyword count in the care-for-others information table takes a larger recommendation degree value and information displayed in a program guide are sorted in a format corresponding to the recommendation degree of each item (column 16, lines 34-44).

10. Regarding dependent claim 20, Ellis further taught the control unit receives e-mail communications addressed to a logged-in user (column 12, lines 43-51); the control unit reads all keywords entered into the favorite information table related to the logged-in user, and further reads all keywords entered into the care-for-others information table related to the logged-in user (column 12, lines 52-65); the control unit searches the e-mail communications for the keywords set in the favorite information table and in the care-for-others information table, the control unit executes the process of computing the recommendation degree of each of the e-mail communications wherein the e-mail communications are displayed according to a format corresponding to the recommendation degree for each item (column 13, lines 17-26).

11. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis and Cooper as applied to claims 3 and 10 above, and further in view of Haken, US 2004/0008972 A1 (hereafter referred to as Haken).

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12. Regarding claims 4 and 11, Ellis-Cooper does not specifically teach a confidential flag. However, Haken further taught the first search condition information contains one or more pieces of information consisting of a keyword and a confidential flag for indicating whether or not a permission of using this keyword is given to other user, and the second information searching step involves performing the check about the searched information element by use of only the keyword having such a relationship that the confidential flag contained in the first search condition information set in the first search condition information setting step with respect to other user indicates the permission of user (paragraphs 9, 34). It would have been obvious to one of ordinary skill in the art at the time the invention was made that incorporating Haken's confidential flag in the Ellis-Cooper electronic program guide system would have improved organization and administration. The motivation would have been to distinguish authorized reminders.

### ***Response to Arguments***

13. Applicant's arguments filed December 5, 2006 have been fully considered but they are not persuasive.

14. Applicant argues – "As a consequence, the user-to-user communications can be vitalized." (See page 4, lines 9-12 of the specification)."

a. Applicant's argues that support for "information browse sharing" is found on page 3, line 16 through page 4, line 12. Applicant also that argues the meaning of the term is that "information browsed is shared between users".

However, in the cited passages there is no explicit "information browsed" being shared among users. In particular, no particular communication between the users is described and communication would be needed for "sharing" to take place. Lastly, to one of ordinary skill "information browsing sharing" is the collaborative sharing of browsing sessions among users.

15. Applicant argues – "Ellis only teaches a program guide service used by parent (first user). Ellis does not disclose *browsing target information containing a plurality of information elements, for an information element with respect to a **certain user** in accordance with information **derived** from the first search condition and information derived from the second search condition, as recited, for example in claim 1.*"

b. Applicant argues the information is derived from a first user and a second user. However, according to applicant's claim language the information is derived from a first search condition and a second search condition. The first and second users and first and second search conditions are not interchangeable.

c. The information elements being browsed are the shows and programs of the electronic programming guide (EPG). The first condition and second condition are part of a Boolean expression that is used to determine information elements that would be viewable by a certain user (i.e. a particular television viewer).

16. Applicant argues – "Ellis also fails to *disclose presenting to the certain user a piece of information corresponding to a search result, as recited for example in claim 1.*"



d. Ellis clearly taught providing results based on the search conditions established by the Boolean expressions and parental controls (see column 22, lines 20-29). The fact that the results that the certain user received are limited by parental controls is also the same as being based on the second search condition.

### ***Conclusion***

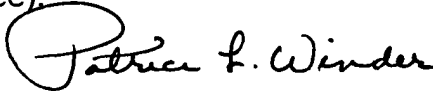
17. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrice Winder whose telephone number is 571-272-3935. The examiner can normally be reached on Monday-Friday, 10:30 am-7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Patrice Winder  
Primary Examiner  
Art Unit 2145

February 9, 2007